

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	: 3:18-CR-00097
	:
v.	: (Judge Mariani)
	:
ROSS ROGGIO	: (Electronically Filed)

MOTION FOR EARLY DISCLOSURE
OF JENCKS ACT MATERIAL

AND NOW comes the Defendant, Ross Roggio, by his attorney, Leo A. Latella, Assistant Federal Public Defender, and files the following Motion for Early Disclosure of *Jencks* Act Material. In support thereof, it is averred as follows:

1. On March 20, 2018, Ross Roggio was charged in an indictment with conspiracy to commit an offense against the United States, in violation of 18 U.S.C. § 371; violations of the Arms Export Control Act, 22 U.S.C. § 2778(b) and (c); and the International Emergency Powers Act, 50 U.S.C. §§ 1702 and 1705(c); smuggling goods from the United States, in violation of 18 U.S.C. §§ 554 and 2; wire fraud, in violation of 18 U.S.C. § 1343; and money laundering, in violation of 18 U.S.C. §§ 1956(a)(2)(A) and 2.

2. On March 23, 2018, Mr. Roggio appeared before Magistrate Judge Karoline Mehalchick for an initial appearance and arraignment, and entered a plea of “not guilty” to the charges.

3. The instant case is unusual and complex and involves an indictment that includes 37 Counts as well as a Criminal Forfeiture. For this reason, and because of the extensive amount of discovery initially disclosed, which includes some 10,000 emails and several thousand pages bank records and other data, Mr. Roggio filed a Motion to Designate Complex Case on September 21, 2018. (Doc. 37). That motion was granted by Order dated October 12, 2018. (Doc. 39).

4. Mr. Roggio requests early disclosure of Jencks Act material, which ordinarily is produced on the Friday before the Monday on which the jury selection is scheduled to begin.

5. This Honorable Court's authority to order such early disclosure is grounded in the Fifth and Sixth Amendments to the United States Constitution, Rule 2 of the Federal Rules of Criminal Procedure and the inherent supervisory power of this Honorable Court.

6. Mr. Roggio respectfully request that all *Jencks* Act material be disclosed to him two weeks prior to jury selection.

WHEREFORE, the Defendant, Ross Roggio, respectfully requests that this Honorable Court grant his Motion for Early Disclosure of *Jencks* Act Material and direct the government to produce this information 45 days prior to jury selection.

Respectfully submitted,

Date: March 29, 2019

s/Leo A. Latella

Leo A. Latella

Assistant Federal Public Defender

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Attorney for Ross Roggio

CERTIFICATE OF SERVICE

I, Leo A. Latella, Assistant Federal Public Defender, do hereby certify that this document, the foregoing **Motion for Early Disclosure of *Jencks* Act Material**, filed electronically through the ECF system will be sent to the registered Participants as identified on the Notice of Electronic Filing, including the following:

Todd K. Hinkley, Esquire
Assistant United States Attorney

and by placing the same in the United States mail, first class, postage prepaid, at Scranton, Pennsylvania, addressed to the following:

Mr. Ross Roggio

Date: December 10, 2018

s/Leo A. Latella

Leo A. Latella

Assistant Federal Public Defender